

REMARKS

This amendment is being filed in response to the non-final Office Action mailed on May 3, 2007. In that Office Action, claim 1-27 were rejected on prior art grounds. Claims 1-27 have been cancelled. Claims 28-48 have been added. No new matter has been added or claimed, and each of the new claims is properly supported by the disclosure of the application as originally filed. Accordingly, claims 28-48 are pending in the application.

Claims 1-27

Because claims 1-27 have been cancelled, the Applicant considers the rejection of these claims to be moot. However, the cancellation of these claims is without disclaimer of the subject matter thereof and without prejudice to the Applicant's right to later pursue the subject matter of those claims in this or another application.

Claims 28-48

Newly added claim 28 is directed to a method for managing a software configuration update of a vehicle and recites a number of steps, including identifying an updated version of a first software module for a first electronic module on the vehicle. Vehicle configuration data representative of a current software configuration on the vehicle is obtained. The vehicle configuration data includes the versions of the software modules currently installed in one or more electronic modules connected to the vehicle telematics unit over a vehicle communication bus, and the vehicle configuration data discloses interdependencies between the software modules. It is determined whether the updated version of the software module is compatible with the current software configuration. If it is determined that the updated version of the software module is compatible with the current software configuration, then the software module is updated with the updated version by transferring the updated version of the software module from the vehicle telematics unit to memory of the electronic module via the communication bus.

Independent claim 36 is directed to a method for managing a software configuration update of a vehicle and recites a number of steps, including identifying an updated version of a first software module available for installation in a first electronic module on the vehicle, when a previous version of the software module is installed in the first electronic module on the vehicle. Interdependencies between the updated version of the first software module and one or more other software modules installed in one or more other electronic modules on the vehicle are identified. The versions of the one or more other software modules are obtained and it is determined at the call center whether the updated version of the first software module is compatible with the obtained versions of the one or more other installed software modules. The first software module is updated by transferring the updated version of the first software module from a vehicle telematics unit to the first electronic module via a communication bus if it is determined that the updated version of the software module is compatible with the obtained versions of the one or more other installed software modules.

Independent claim 44 is directed to a method for managing a software configuration update of a vehicle and recites a number of steps, including detecting at a vehicle telematics unit that a software module in an electronic module has been modified. It is determined whether the modified software module is compatible with versions of other software modules currently installed on the vehicle that have interdependencies with the modified software module. If the modified software module is not determined to be compatible with the other interdependent software modules, the version of at least one of the interdependent software modules is replaced so that interdependent software modules are compatible with one another.

Prior Claim Rejections

Claims 1-27 were rejected under § 102(e) as being anticipated by Kincaid (U.S. Publication 2004/0117785). Claims 1-27 have been cancelled so rejection of those claims is moot. With regard to the new claims, the prior art of record does not disclose or render obvious the subject matter of independent claims 28, 36, and 44.

Kincaid discloses a software component download manager for a mobile station such as a cellular phone or a personal data assistant. The download manager supervises downloading of over-the-air (OTA) software programming and patches to the cellular phone. Software programming for the mobile station is divided into download modules. The download manager also supervises the identification, selection, transfer, storage, and installation and configuration of the downloaded software by determining the data type of the downloaded modules.

Although Kincaid does disclose a software manager, Kincaid does not disclose all of the limitations of independent claims 28, 36, and 44. For example, Kincaid does not disclose updating software modules on electronic modules connected to a telematics unit via a communications bus. Rather, Kincaid's disclosure is limited to a manager for updating software on a single device – a mobile station such as a cellular phone. In Kincaid, the mobile station is limited to managing the software downloads and installations on just the mobile station. Thus, even if Kincaid's system were to be applied to a vehicle telematics unit, it would at most suggest updating the telematics unit software only, and not other vehicle electronic modules over an on-board communication bus.

Likewise, Kincaid does not disclose or suggest detecting at a vehicle telematics unit that a software module on an electronic module *has been modified*. Rather, Kincaid discloses that the download manager handles software updates but does not teach or suggest that the download manager detects whether a software module has already been modified, such as through a previous unauthorized update.

Accordingly, Applicant respectfully submits that claims 28, 36, and 44 each patentably define over the prior art. Claims 29-35, 37-43, and 45-47 each ultimately depend from respective claims 28, 36, and 44 and should be allowed therewith.

In view of the foregoing, Applicants submit that all claims are allowable. Reconsideration is therefore requested. The Examiner is invited to telephone the undersigned if doing so would advance prosecution of this case.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0960 for any required fees or to credit that same deposit account with any overpayment associated with this communication.

Respectfully submitted,

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